

## REMARKS / ARGUMENTS

In complete response to the Restriction Requirement dated July 31, 2009, on the above identified application, reconsideration is respectfully requested. Claims 30-49 are pending in this application.

### Election/Restrictions

The Examiner requested a restriction under 35 U.S.C. 121 and 372 between the following allegedly distinct inventions:

- |                                       |   |
|---------------------------------------|---|
| Species I: Compound C <sub>1</sub> :  | 1a) Oxide of formula (I) (Claims 38 and 39)         |
|                                       | 1b) Perovskite Oxide of formula (II) (Claims 40-46) |
|                                       | 1c) Formula (II') (Claim 47)                        |
|                                       | 1d) Formula (III) (Claims 48 and 49)                |
|                                       |   |
| Species II: Compound C <sub>2</sub> : | 2a) Oxide-type material (Claims 30 and 36)          |
|                                       | 2b) Nonoxide-type material (Claims 30 and 37)       |
|                                       | 2c) Metals (Claim 30)                               |
|                                       | 2d) Metal alloys (Claim 30)                         |
|                                       | 2e) Mixture (Claim 30)                              |

In response to the requirement for restriction, the Applicants elect, without traverse, Species I (Compound C<sub>1</sub>). Applicants assert that Species I reads upon claims 31-35 and 38-49. In the event the Examiner further requires Applicants to elect a subspecies (from Species I) out of 1a, 1b, 1c, and 1d, Applicants elect, without traverse, subspecies 1b.

## CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

Date: **August 31, 2009**

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